10/531 435

# JC06 Rec'd PCT/PTO 07 OCT 2005

#6

Response to Missing Requirements Under 35 USC § 371 Attorney Docket No.: AJPARK30.001APC

First Named Inventor: Partick Joseph Silcock et al.

Int'l Application No.: PCT/NZ2003/000232

US Application No.: 10/531,435

Entered National Phase: April 15, 2005

Title: PHOSPHOPROTEIN PREPARATIONS FOR BIOACTIVE

METAL ION DELIVERY AND TEETH

REMINERALISATION

Direct all correspondence to Customer No.: 20995

Date: October 5, 2005

Page 1 of 2

Mail Stop PCT

United States Patent and Trademark Office PO Box 1450 Alexandria, VA 22313-1450 I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

October 5, 2005

(Date)

Andrew N. Merickel, Reg. No. 53,317

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated September 26, 2005.
- (X) An Oath or Declaration signed by the inventors (35 USC 371(c)(4)) in 5 pages, with attached specification in 61 pages.
- (X) Return prepaid postcard.

# Response to Missing Requirements Under 35 USC § 371

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Page 2 of 2

#### FILING FEES NOT YET PAID:

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	51 - 51 = 0	1615 (\$50)	0   x   50 =	\$
Excess Ind. Claims	4 - 4 = 0	1614 (\$200)	0 x 200 =	\$
Multiple Claim	37 CFR § 1.492(f)	1616 (\$360)		\$
1 Month Extension	37 CFR § 1.17(a)(1)	1251 (\$120)		\$
2 Month Extension	37 CFR § 1.17(a)(2)	1252 (\$450)		\$
3 Month Extension	37 CFR § 1.17(a)(3)	1253 (\$1,020)		\$
4 Month Extension	37 CFR § 1.17(a)(4)	1254 (\$1,590)		\$
	SUB TOTAL		\$	
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				
Late English Trans	37 CFR § 1.492(i)	1618 (\$130)		\$
	•		TOTAL FEE DUE	\$130

(X) A check in the amount of \$130 is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.

10/12/2005 GFREY1

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01 FC:1617

130.00 OP

Andrew N. Merickel

Registration No. 53,317

Attorney of Record

Customer No. 20,995

(415) 954-4114

1971829 100505



## United States Patent and Trademark Office

AJPARK30. ODIAPE ME TFS ANM

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Offices Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Vinginia 22313-1450 www.unplu.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY, DOCKET NO.

10/531,435

Patrick Joseph Silcock

AJPARK30.001APC

INTERNATIONAL APPLICATION NO.

PCT/NZ03/00232

I.A. FILING DATE

PRIORITY DATE

10/20/2003

10/18/2002

20995 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614

CONFIRMATION NO. 8251 371 FORMALITIES LETTER \*OC00000017046300\*

\*OC00000017046300\*

Date Mailed: 09/26/2005

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/15/2005
- Copy of the International Search Report filed on 04/15/2005
- Preliminary Amendments filed on 04/15/2005
- Information Disclosure Statements filed on 04/15/2005
- U.S. Basic National Fees filed on 04/15/2005
- Priority Documents filed on 04/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,435	PCT/NZ03/00232	AJPARK30.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)